

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING DEFECTIVE PLEADING

The Court has received and reviewed the *Request for Extension to Reply to Informative Motion of the Commonwealth of Puerto Rico, Puerto Rico Sales Tax Financing Authority, the Puerto Rico Highways and Transportation Authority, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico and the Puerto Rico Public Buildings Authority Regarding Three Hundred Seventy Fourth Omnibus Objection (Substantive) to Late Filed Claims and Three Hundred Ninety Seventh Omnibus Objection to Late Filed Claims* (Docket Entry No. 21093 in Case No. 17-3283, the “Pleading”), filed by Edwin Ralphi La Torre Rodriguez as President on behalf of Quality Construction Services II, LLC.

The Pleading is defective because it was not filed by counsel to Quality Construction Services II, LLC. Business entities may not appear in this proceeding without counsel, as they are not natural persons. Rowland v. California Men’s Colony, 506 U.S. 194,

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

202-03 (1993) (explaining that corporations and other artificial entities can only appear in federal court through licensed counsel). Additionally, under 48 U.S.C. § 864, all pleadings and proceedings in the District Court for the District of Puerto Rico shall be conducted in English. Local Bankruptcy Rule 9070-1(c) further requires all exhibits and documentary evidence in Spanish (or any other language) be fully translated into the English language by a certified translator. Accordingly, the Pleading is hereby stricken.

Quality Construction Services II, LLC is granted leave to file a corrected pleading by **July 5, 2022, at 5:00 p.m. (Atlantic Standard Time)**. The Financial Oversight and Management Board for Puerto Rico shall file a response (if any) by **July 12, 2022, at 5:00 p.m. (Atlantic Standard Time)**. To the extent the Pleading may be construed as an application requesting action by the Court, it is denied.

SO ORDERED.

Dated: June 3, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge